

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.6944 of 2007

Dated: 24-04-2007

Between:

Somarowthu Rrama Rao.

..... PETITIONER

AND

Peda Konduru Gram Panchayat,
Pedakonduru, Duggirala Mandal, Guntur District, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

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ORDER:

The petitioner is resident of Pedakonduru Village, Duggirala Mandal, Guntur District. He alleges that third respondent, who is having house adjacent to the road of Peda Konduru Gram Panchayat, first respondent herein, in Ward No.3, started constructing a pucca house encroaching upon the road to an extent of ten feet. He gave a representation on 24.01.2007 to first respondent, in vain. He, therefore, seeks a direction to respondents 1 and 2 to initiate necessary action to prevent third respondent from making construction encroaching the road.

The Panchayat Secretary of first respondent Gram Panchayat filed a counter-affidavit. While alleging that there is personal dispute between the petitioner and third respondent, it is stated that the matter is referred to the Mandal Surveyor with a request to demarcate the road and that as soon as the report from the Mandal Surveyor is received, necessary action will be taken. In view of this, this Court observes that after getting report from the Mandal Surveyor, if it states that third respondent has encroached upon the road of the Gram Panchayat, first respondent may initiate necessary action under Section 98 of the Andhra Pradesh Panchayat Raj Act, 1994.

The writ petition, with the above observations, is accordingly disposed of. No costs.

(V.V.S.RAO, J)

24th April, 2007
ghn

